



भारत का राजपत्र The Gazette of India

असाधारण

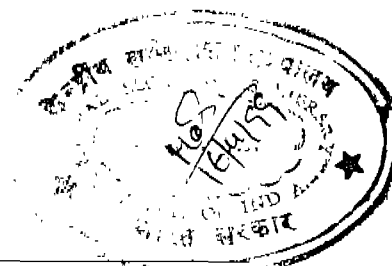
EXTRAORDINARY

भाग II — खण्ड 2

PART II — Section 2

प्राधिकार से प्रकाशित

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No. 45] NEW DELHI, THURSDAY, DECEMBER 17, 1998 / AGRAHAYANA 26, 1920

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on 17.12.1998

BILL No. 163 OF 1998

A Bill to provide for facilities to Leaders and Chief Whips of recognised parties and groups in Parliament

BE it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions

(a) "recognised group" means,—

(i) in relation to the Council of States, every group of parties recognised for the purposes of this Act by the Chairman under the rules regulating the procedure of that House;

(ii) in relation to the House of the People, every group of parties recognised for the purposes of this Act by the Speaker under the rules regulating the procedure of that House;

(b) "recognised party" means,—

(i) in relation to the Council of States, every party which is recognised for the purposes of this Act by the Chairman under the rules regulating the procedure of that House;

(ii) in relation to the House of the People, every party which is recognised for the purposes of this Act by the Speaker under the rules regulating the procedure of that House.

Facilities to the Leaders and Chief Whips of recognised groups and parties.
Power to make rules.

3. Subject to any rules made in this behalf by the Central Government, each leader (other than the Leader of the Opposition) as defined in section 2 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 and each Chief Whip of a recognised group and a recognised party shall be entitled to telephone and secretarial facilities.

33 of 1977.

4. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Amendment of section 3 of Act 10 of 1959.

5. In the Parliament (Prevention of Disqualification) Act, 1959, in section 3,—

(i) after clause (ab), the following clause shall be inserted, namely:—

"(ac) the office of each leader of a recognised party and a recognised group in either House of Parliament;"

(ii) after *Explanation 2*, the following *Explanation* shall be inserted, namely:—

'Explanation 3.—In clause (ac), the expressions "recognised party" and "recognised group" shall have the meanings assigned to them in the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998.'

STATEMENT OF OBJECTS AND REASONS

The Eleventh All-India Whips' Conference held at Bangalore in January, 1994 made the following recommendations:—

"Chief Whips of recognised Opposition Parties in Parliament and the State Legislatures should be provided secretarial assistance and facilities of telephone and office accommodation in the premises of Legislatures by giving them statutory recognition (Secretarial assistance means one Stenographer Grade 'B' and one Peon)."

2. The Twelfth All India Whips' Conference held at Srinagar on 21st and 22nd August, 1997 further deliberated the issue relating to the facilities to be extended to Whips.

3. The smooth functioning of the Parliamentary system depends, to a large extent, on the efficiency of the party machinery in the legislatures. The chief whips and leaders of parties and groups in Parliament are important party functionaries who play a vital role in the proper functioning of the parties and groups in the legislatures and, hence, fulfil an important public purpose.

4. After due consideration of the matter as a whole and to implement the recommendation of the All-India Whips' Conferences, it is proposed to provide for secretarial and telephone facilities to the Leaders and Chief Whips of recognised parties and recognised groups in Parliament.

5. The Bill seeks to achieve the above object.

NEW DELHI;

MADAN LAL KHURANA

The 8th December, 1998.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to provide secretarial and telephone facilities to the Leader and Chief Whip of each recognised party and recognised group in Parliament.

2. The above provision would involve a recurring expenditure from the Consolidated Fund of India to the extent of Rupees Thirteen Lakhs Eight thousand five hundred only per annum approximately.

3. The provisions of the Bill do not involve any other expenditure of a recurring or non-recurring nature.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill seeks to empower the Central Government to make rules to carry out the purposes of the Act.

2. The matters in respect of which the rules may be made are matters of administrative detail and procedure and, as such, the delegation of legislative power is of a normal character.

S. GOPALAN,
Secretary-General.
